



Licenses and Consumer Services
350 S 5th Street, Room 1 City Hall
Minneapolis, MN, 55415
612-673-2080

www.minneapolismn.gov

License Settlement Agreement

Midwest Latino Entertainment and Talent Inc.
DBA El Nuevo Rodeo
Attn: Maya Santamaria
2709 E. Lake St E
Minneapolis, MN 55406

Findings of Fact, Conclusions, and Recommendations in the matter of LIC79453 for El Nuevo Rodeo On-Sale Liquor License General Entertainment, Sunday Sales

This matter came before the Division of Licenses and Consumer Services at a License Settlement Conference meeting on December 19, 2018 in Room 1, Minneapolis City Hall. Appearing on behalf of the Licensee was Maya Santamaria, owner and Boris Parker, Attorney. Appearing for the City were Lisa Chmelar, Inspector; Craig Eliason, District Supervisor; Linda Roberts, Interim Manager; Shun Tillman, Minneapolis Police Department Crime Prevention Specialist and Joel Fussy, Assistant City Attorney. Based on information presented at the meeting, the Division makes the following findings of fact, conclusions, and recommendations:

Findings of Fact

1. Midwest Latino Entertainment and Talent Inc, dba El Nuevo Rodeo, has an On-Sale Liquor License General Entertainment, Sunday Sales with a primary shareholder of Maya Santamaria.
2. On November 9, 2018 a records request was made for all receipts and invoices for any liquor, beer or wine that was purchased in August 2018, September 2018 and October 2018. No receipts and/or invoices were supplied. A \$200 citation, CE1184923, was issued and has been appealed and negotiated as part of this agreement.
3. On November 19, 2018, the owner refused to allow Inspectors to conduct an inspection of licensed premises. A \$500 citation, CE1185363, was issued and has been appealed and negotiated as part of this agreement.
4. On July 6, 2019, the owner failed to provide adequate security. A \$200 citation, CE1214383, was issued and has been appealed as part of this agreement.

Conclusions

1. El Nuevo Rodeo was in violation of Minneapolis Code of Ordinance 259.250s2 and MN State Statute 7515.0550
2. El Nuevo Rodeo was in violation of Minneapolis Code of Ordinance 362.490
3. El Nuevo Rodeo was in violation of Minneapolis Code of Ordinance 259.250s4

Recommendations

That the On-Sale Liquor License General Entertainment, Sunday Sales issued to El Nuevo Rodeo shall be subject to the following conditions:

1. The administrative citations and fines have been negotiated in this agreement. The \$900 will be imposed, with \$900 stayed, on the condition no same or similar violations occur for 24 months after Council approval of this License Settlement Conference agreement
2. Restaurant seating on second floor must be a minimum of 282 seats and first floor 71 seats.
3. The licensee agrees that no adult entertainment shall be offered or occur at the establishment that would qualify as a "sexually oriented use" or which features "nudity" as those terms are defined in MCO § 549.340. This also includes but not limited to nude or semi-nude dancing, sexually suggestive touching, use of stripper/dancing poles or other similar activities.
4. Licensee must maintain monthly receipts showing percentage of food sales, liquor sales and ticket/cover charges for the licensed premise and be available to City staff upon request.
5. Licensee must provide a complete and up to date schedule of events on their public website that details each event or promotion the establishment is offering that also includes their full food menu offerings.
6. Licensee must take all necessary and prudent steps to avoid violent incidents from occurring at their establishment during events by assessing the reasonably foreseeable risks associated with the nature of the event(s), the history of the performer(s), and the anticipated number of attendees.

7. Licensee must provide an updated security plan to Minneapolis Police 3rd Precinct Inspector by August 16, 2019. The security plan must also include:

- a) a current and up to date detailed diagram of all levels of the establishment
- b) a current and up to date detailed diagram of the locations of all security cameras
- c) the licensee must describe how they will prevent anyone under 21 years old from being served alcohol or consume alcohol on the licensed premises
- d) a detailed security plan must be provided for each event that is considered a "security concern" by Minneapolis Police or Business Licensing. If the security plan is not sufficient the event must be cancelled

8. Licensee must utilize and maintain a minimum of 28 digital recording security cameras with 45 days retention and must provide digital recordings to the Licenses and Consumer Services or Minneapolis Police, within eight (8) hours of request, to assist in criminal or civil investigation.

9. Licensee must always keep an accurate occupancy count and immediately share such figures upon request to any official of the City of Minneapolis.

10. Licensee must post a sign at all entrances saying that they ban guns and all weapons on premises.

11. Licensee must provide annual alcohol server training to all employees and provide documentation to Licenses & Consumer Services.

12. Licensee must not offer alcohol beverage drinks at special prices that are substantially less than the normal selling prices.

13. Licensee must not include free alcohol beverage drinks with price of admission.

14. The sidewalk cafe must not be operated past 10:00pm on all days of the week.

15. No minor shall be allowed to enter the premises after 9:00 PM unless accompanied by a parent or guardian or with signed permission from a parent/guardian, and in no case shall a minor be present in violation of applicable curfew laws. Such documentation shall be retained by the establishment and made readily and immediately available to inspectors or police upon request.

16. Licensee must utilize and maintain an electronic ID scanner to verify the age of all persons seeking to gain entrance to the establishment after 9:00 PM.

17. Licensee must utilize and maintain a metal detector to wand every person seeking to gain entrance into the establishment after 9:00 PM.

18. To assist in the prevention of reoccurring disturbances by known persons, the licensee must compile, maintain and share with the 3rd Precinct a "Do not admit" list of persons who have been trespassed and/or refused service.

19. Security staff must monitor the activity in the establishment and if any criminal activity is observed, security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.

20. Licensee must develop and utilize a promoter contract for all events in which a promoter is used and provide a copy of the contract to the Licenses and Consumer Services upon request. The contract must contain language stating that any promoter will not post any promotional materials in violation of Minneapolis Ordinances.

21. The licensee must immediately cease all operations, except for the first floor of the restaurant, if the parking lot at 2800 E Lake (US Bank) becomes unavailable. The business will not be open on the 2nd or 3rd floor until a similar size lot is obtained or valet service is provided.

22. The licensee must attend monthly LINC meetings for the next 24 months after Council approval of this License Settlement Conference agreement.

23. The licensee must provide liquor, beer and wine receipts and/or invoices when requested by Licenses and Consumer Services.

Midwest Latino Entertainment and Talent Inc understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

Midwest Latino Entertainment and Talent
Inc

By:

Maya Santamaria

Owner

Doing Business As: El Nuevo Rodeo

Date:

10/18/19

For the City of Minneapolis

By:

Enrique Velázquez

Manager

Licenses and Consumer Services

Date:

22 October 2019

For reasonable accommodations or alternative formats, contact the Licenses and Consumer Services Division at 612-673-2080. People who are deaf or hard of hearing can use a relay service to call 311 or 612-673-3000. TTY users call 612-673-2157.

Information in Other Languages: Para asistencia 612-673-2700. Rau kev pab 612-673-2800. Hadii aad Caawimaad u baahantahay 612-673-3500.